



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20535

September 30, 1997

Richard Ford, Esq.
Fortson, Bentley and Griffin
P.O. Box 1744
Athens, Georgia 30603-1744

Dear Mr. Ford:

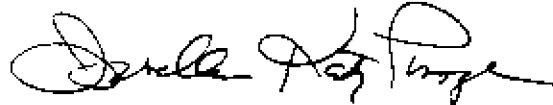
This refers to your request that the Attorney General reconsider and withdraw the July 3, 1991 objection interposed under Section 5 of the Voting Rights Act, 42 U.S.C. 1973c, to the change from a plurality vote to a majority vote requirement for mayoral elections for the City of Monroe in Walton County, Georgia. We received your request on August 1, 1997; supplemental information was received on September 26, 1997.

On July 3, 1991, the Attorney General interposed an objection to the change to a majority vote requirement, both for city council and mayoral elections. In the letter notifying the city of that determination, we noted that where voting is racially polarized, as is apparent in Monroe, the imposition of a majority vote requirement in the context of at-large elections, by producing head-to-head contests, clearly would operate as an added obstacle to the potential for minority voters to elect candidates of their choice. We concluded that the city had not met its burden under Section 5 of showing that the change has neither a discriminatory purpose nor effect. We denied the city's request to withdraw this objection twice, on October 21, 1991, and October 22, 1993. On July 3, 1995, the Attorney General precleared a new method of election for the city councilmembers, and withdrew the objection to the majority vote requirement for city council elections. While we determined that the city had met its burden under Section 5 with respect to the use of majority vote for city councilmember elections (not including the mayor) in light of the new council method of election and districting plan, we did not withdraw the objection to the majority vote requirement for mayor.

We have reconsidered our earlier determination on the change to a majority vote requirement for mayor based on the information you have advanced in support of your request, along with the other information in our files and comments received from other interested persons.

Because you have not provided any additional information in support of your recent request which impacts our conclusions as to the purpose or effect of the submitted change, I remain unable to conclude that the City of Monroe has carried its burden of showing that the submitted change has neither a discriminatory purpose nor a discriminatory effect. See Georgia v. United States, 411 U.S. 526 (1973); see also the Procedures for the Administration of Section 5 (28 C.F.R. 51.52). Therefore, on behalf of the Attorney General, I must decline to withdraw the objection to the change from a plurality vote to a majority vote requirement for mayoral elections in the City of Monroe.

Sincerely,

A handwritten signature in black ink, appearing to read 'Isabelle Katz Pinzler', written in a cursive style.

Isabelle Katz Pinzler
Acting Assistant Attorney General
Civil Rights Division